

GREENE INFUSO, LLP  
3030 SOUTH JONES BOULEVARD, SUITE 101  
LAS VEGAS, NV 89146  
(702) 570-6000

1 MICHAEL V. INFUSO (Nevada Bar No. 7388)  
minfuso@greeneninfusolaw.com  
2 ZACHARY P. TAKOS (Nevada Bar No. 11293)  
ztakos@greeneninfusolaw.com  
3 GREENE INFUSO, LLP  
3030 South Jones Boulevard, Suite 101  
Las Vegas, NV 89146  
4 Telephone: (702) 570-6000  
Facsimile: (702) 463-8401

5 CRAIG L. CAESAR (admitted Pro Hac Vice)  
ccaesar@bakerdonelson.com  
6 ERROL J. KING (admitted Pro Hac Vice)  
eking@bakerdonelson.com  
7 BAKER DONELSON BEARMAN  
Caldwell & Berkowitz, PC  
8 201 St. Charles Ave., Suite 3600  
9 New Orleans, LA 70170  
10 Telephone: (504) 566-8616  
Facsimile: (504) 585-6916

11 *Attorneys for Defendant*  
12 BEECH STREET CORPORATION

13 UNITED STATES DISTRICT COURT

14 DISTRICT OF NEVADA

15 Case No. 2:10-cv-01092-KJD-RJJ

16 Plaintiff,  
17 v.  
18 JOINT STIPULATION OF DISMISSAL  
19 WITH PREJUDICE

20 BEECH STREET CORPORATION,  
DOES I through X, and ROE  
CORPORATIONS I through X, inclusive,

21 Defendants.

22 STIPULATION OF DISMISSAL WITH PREJUDICE RE: PLAINTIFF'S SECOND

23 CAUSE OF ACTION

24 NOW INTO COURT, through undersigned counsel, come plaintiff, Kenneth Nogle  
25 ("Plaintiff"), and defendant Beech Street Corporation ("Beech Street")<sup>1</sup>, pursuant to Rule 41 of  
26 the Federal Rules of Civil Procedure, the parties have agreed to the dismissal with prejudice of  
27  
<sup>1</sup> Defendant FiServ Health Plan Administrators, Inc., is no longer a party to this case, the Court having approved  
28 Plaintiff's Stipulation to Dismiss on August 31, 2010 [Dkt. No. 8].

1 the Second Cause of Action (Breach of Implied Covenant of Good Faith and Fair Dealing/Bad  
2 Faith) brought by Plaintiff against Beech Street with each party to bear their own costs and  
3 attorneys fees.

4 DATED this 13<sup>th</sup> of June, 2012.

5 Respectfully submitted,

6 MATTHEW L. SHARP, LTD.

7 By: /s/ Matthew L. Sharp

Matthew L. Sharp (Nevada Bar No. 4746)

432 Ridge Street

Reno, NV 89501

Atorneys for Plaintiff,

KENNETH NOGLE

7 GREENE INFUSO, LLP

8 By: /s/ Michael V. Infuso

Michael V. Infuso (Nevada Bar No. 7388)

Zachary P. Takos (Nevada Bar No. 11293)

3030 South Jones Boulevard, Suite 101

Las Vegas, NV 89146

9 Attorneys for Defendant,  
10 BEECH STREET CORPORATION

11 and

12 CRAIG L. CAESAR (State Bar No. 24056970)  
(admitted Pro Hac Vice)  
13 BAKER DONELSON BEARMAN CALDWELL  
& BERKOWITZ, PC  
14 201 St. Charles Ave., Suite 3600  
15 New Orleans, LA 70170

16 **ORDER**

17 IT IS SO ORDERED.

18 Dated: June 15, 2012.

19   
20 Hon. KENT J. DAWSON  
21 United States District Judge

1  
2  
3  
4  
5  
6

**CERTIFICATE OF SERVICE**

I certify that I am an employee of Greene Infuso, LLP, and that on this 13 day of June, 2012, I caused to be sent via United States Mail, postage prepaid, a true and correct copy of the above and foregoing **JOINT STIPULATION OF DISMISSAL** properly addressed to the following:

7 William S. Cummings  
Friedman Rubin  
1126 Highland Avenue  
Bremerton, WA 98337

8 Billie-Marie Morrison  
Craig P. Kenny & Associates  
723 South Seventh Street  
Las Vegas, NV 89101

9 Gerald I. Gillock  
Antonia C. Killebrew  
Gillock Markley & Killebrew, PC  
428 South Fourth Street  
Las Vegas, NV 89101

10 Matthew L. Sharp  
Matthew L. Sharp, Ltd.  
432 Ridge St.  
Reno, NV 89501

11 Candice Bentle  
An Employee of Greene Infuso, LLP

*Candice Bentle*

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28